IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO 7209 OF 2006

Vilas Balwant Bhosale ..Petitioner

Versus

The Superintending Engineer)
Circle Officer,)
Maharashtra State Electricity)
Distribution Co.Ltd., Krishnanagar)
Satara and Ors.)..Respondents

Mr.V.Y.Jadhav for the petitioner.

Mrs.A.R.S.Baxi for respondent nos.1 to 4.

Mrs.M.P.Thakur AGP for respondent no.5.

Coram : S.B.Mhase &
R.S.Mohite,JJ

Date : 12.04.2007

PC

1. Heard.

2. The petitioner was employed with the respondent on 26.3.1974. At the time of his employment he has given his birth date as 13.8.1948. That birth date was recorded in the service record in view of an affidavit of the petitioner dated 1.10.1973. In the said affidavit the petitioner has stated that his birth date is 13.8.1948, however, since his father was illeterate it is registered as 10.9.1947. He has also stated that his name is Vilas @ Ulhasrao Balwant Bhosale @ Bhintade. In his school register his name has been continuously shown as Vilas Balwant Bhosale. What is to be noted is that his

name was never shown as Vilas @ Ulhasrao Balwant Bhosale @ Bhintade. Thus in respect of both the names i.e. name and the surname the alias name has been introduced by way of an affidavit. Apart from that, in the extract obtained from the Gram Panchayat it appears that the name of the father of the boy, viz. Ulhasrao, is shown as ‘Balu Babu Bhintade’ and not as ‘Balwant Bhosale’. In short, the entry which is tried to be relied upon is completely different and thereby will have to be substituted in its entirity so as to accept the case of the petitioner. Therefore, name of Vilas Balwant Bhosale is to be substituted with alias name Ulhas Balu Bhintade and that too, on the basis of the affidavit of the petitioner who is interested in his own service. At the time of his retirement the particulars of the petitioner were asked by the respondents. However, the petitioner did not co-operate by supplying the particulars and therefore, the petitioner obtained copy of the school leaving certificate which shows his date of birth as 10.9.1947 and on that basis he has been asked to retire. We find that since the beginning of his service the petitioner was trying to manipulate the record and he was not co-operating with the respondents. We, therefore, refrain to entertain the petition. Petition is rejected.

(R.S.Mohite,J) **(S.B.Mhase,J)**